MINIMUM FILING FEE: $100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of entries required, see booklet "How to File an Application to Appropriate Water in California")

STATE OF CALIFORNIA
State Water Resources Control Board
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95812-2000

STATE WATER RESOURCES CONTROL BOARD
96 JUN -3 PM 12:16
DIV. OF WATER RIGHTS SACRAMENTO

(Check one box only)

[X] ***APPLICATION TO APPROPRIATE WATER BY PERMIT***

or

[ ] ***REGISTRATION OF SMALL DOMESTIC USE APPROPRIATION****

(If this form is used to register a small domestic use appropriation, the terms "application" and "applicant" herein, and in related forms, shall mean "registration" and "registrant".)

Application No. 30545~~45~~
(Leave blank)

1. APPLICANT

Pope Valley Partners
(Name of applicant)

(707) 963 - 0306
(Telephone number where you may be reached between 8 a. m. and 5 p. m. - include area code)

c/o Mr. Tony Peju

8466 St. Helena Highway, Napa CA 94558
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is see attachment
(If unnamed, state that it is an unnamed stream, spring, etc.)

tributary to see attachment

b. In a normal year does the stream dry up at any point downstream from your project? YES [X] NO [ ] If yes, during what months is it usually dry? From summer months to _____

What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? none

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Napa

b.

List all points giving coordinate distances from section corner or other tie as allowed by Board regulations i. e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
see attachment	1/4 of 1/4				
	1/4 of 1/4				
	1/4 of 1/4				

c. Does applicant own the land at the point of diversion? YES [X] NO [ ]

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: _____

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day). Purpose must only be "Domestic" for registration of small domestic use.*

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or ~~gallons per day~~)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Frost Protection	10	150	3/15	5/15			
		150	TOTAL AMOUNT			TOTAL AMOUNT	

b. Total combined amount taken by direct diversion and storage during any one year will be * acre-feet.

* *Not to exceed 4,500 gallons per day by direct diversion or 10 acre-feet per annum by storage.*

*The total amount of water to be taken by direct diversion under this application, together with water to be diverted to storage under a companion application, and water diverted pursuant to License 11940 (Application 24272) shall not exceed 495 acre-feet per annum.

6/1/96 $100

5. JUSTIFICATION OF AMOUNT (For small domestic use registration, complete item b. only)

a. IRRIGATION: Maximum area to be irrigated in any one year is _____ acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date

b. DOMESTIC: Number of residences to be served is _____. Separately owned ? YES ☐ NO ☐
Total number of people to be served is _____. Estimated daily use per person is _____ _____
Total area of domestic lawns and gardens is _____ square feet. (Gallons per day)
Incidential domestic uses are _____
(Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock _____ Maximum number _____
Describe type of operation: _____
(Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing ☐ Swimming ☐ Boating ☐ Other ☐

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre-feet
Present						

Month of maximum use during year is _____. Month of minimum use during year is _____

f. HEAT CONTROL: The total area to be heat protected is _____ net acres.
Type of crop protected is _____
Rate at which water is applied to use is _____ gpm per acre.
The heat protection season will begin about _____ (Date) and end about _____ (Date)

g. FROST PROTECTION: The total area to be frost protected is 263 net acres.
Type of crop protected is vineyard
Rate at which water is applied to use is 55 gpm per acre.
The frost protection season will begin about March 15 (Date) and end about May 15 (Date)

h. INDUSTRIAL: Type of industry is _____
Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is _____. Patented ☐ Unpatented ☐
The nature of the mine is _____. Mineral to be mined is _____
Type of milling or processing is _____
After use, the water will be discharged into _____ (Name of stream)
in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M.
(40-acre subdivision)

j. POWER: The total fall to be utilized is _____ feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____ (Cubic feet per second x fall ÷ 8.8). Electrical capacity is _____ (Hp x 0.746 x efficiency) kilowatts at _____ % efficiency.
After use, the water will be discharged into _____ (Name of stream)
in _____ 1/4 of _____ 1/4 of Section _____, T _____, R _____, _____ B. & M. FERC No. _____
(40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific species and habitat type that will be preserved or enhanced in item 17 of Environmental Information form WR 1-2.

l. OTHER: Describe use: _____. Basis for determination of amount of water needed is _____

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES [X] NO [ ] Is land in joint ownership? YES [ ] NO [X]
(All joint owners should include their names as applicants and sign the application.)
If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with the owner.

b.

USE IS WITHIN (40-acre subdivision)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
1/4 of 1/4	see attachment					
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

a. Diversion will be by gravity by means of Points 2, 3, 4, 5, 7, 8 - Dams
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from Points 1 & 6 offset well
(Sump, offset well, channel, reservoir, etc.) Pump discharge rate 10 (cfs or gpd) Horsepower 75

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

	CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
					Feet	+ or -	
Point 6 to Points 2-5	Pipe	PVC	18" Dia.	4000	40	+	10 cfs
Point 6 to Points 7 & 8	Pipe	PVC	18" Dia.	2700	40	+	10 cfs
Point 4 to Points 2,3 &5	Pipe	PVC	18" Dia.	1500	10	+	10 cfs

d. Storage reservoirs: (For underground storage, complete Supplement 1 to WR1, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 10 cfs. Diversion to offstream storage will be made by: [X] Pumping [X] Gravity

8. COMPLETION SCHEDULE

a. Year work will start 1998 b. Year work will be completed 2003
c. Year water will be used to the full extent intended 2004 d. If completed, year of first use

9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Pope Valley

b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES ☐ NO ☒

If yes, state name of the subdivision _____

If no, is subdivision of these lands contemplated? YES ☐ NO ☒

Is it planned to individually meter each service connection? YES ☐ NO ☐ If yes, When? Not applicable

c. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Berglund Family Vineyards P.O. Box 2089 Napa, CA 94558

St. Supery Vineyards P.O. Box 38, Rutherford, CA 94573

d. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain: _____

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☒ NO ☐

If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
Appropriative, License		11940 (Application 24272),			

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

James C. Hanson, Consulting Civil Engineer, A Corporation

James C. Hanson (916) 448 - 2821

(Name of agent) (Telephone number of agent between 8 a. m. and 5 p. m.)

444 North Third Street, Suite 400, Sacramento, CA 95814

(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated March 19 19 96, at Napa, California

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.
Miss. Mrs. _____
(Signature of applicant)

Tony Peju for Pope Valley Partners

Ms. Mr.
Miss. Mrs. _____
(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P. O. Box 2000, Sacramento, CA 95810, with $100 minimum filing fee.

NOTE:

If this application is approved for a permit, a minimum permit fee of $100 will be required before the permit is issued. There is no additional fee for registration of small domestic use.

SUPPLEMENT TO WATER RIGHT APPLICATION
BY POPE VALLEY PARTNERS

Item 2a. Source

Point	Source	Tributary To
1	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
2	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
3	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
4	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
5	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
6	Burton Creek	Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
7	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)
8	Unnamed stream	Burton Creek thence Maxwell Creek thence Pope Creek thence Putah Creek (Lake Berryessa)

Item 3b. Points of Diversion and Rediversion

Point	Description	Location	Point is Within
1	Point of direct diversion	South 1950' and east 25' from the NW corner of projected Section 21, T9N, R5W, MDB&M	SW ¼ of NW ¼ of said projected Section 21
2	Point of direct diversion and rediversion for water diverted at Points 1, 4, and 6	South 2700' and west 650' from the NE ¼ of projected Section 20, T9N, R5W, MDB&M	NE ¼ of SE ¼ of said projected Section 20
3	Point of direct diversion and rediversion for water diverted at Points 1, 4, and 6	South 2500' and west 1100' (1300) from the NE ¼ of projected Section 20, T9N, R5W, MDB&M	NE ¼ of SE ¼ of said projected Section 20
4	Point of direct diversion and rediversion for water diverted at Points 1 and 6	South 2900' and west 200' from the NE ¼ of projected Section 20, T9N, R5W, MDB&M	NE ¼ of SE ¼ of said projected Section 20
5	Point of direct diversion and rediversion for water diverted at Points 1, 4, and 6	South 3050' and east 450' from the NW corner of projected Section 21, T9N, R5W, MDB&M	NW ¼ of SW ¼ of said projected Section 21
6	Point of direct diversion	South 400' and west 700' from the NE corner of projected Section 20, T9N, R5W, MDB&M	NE ¼ of NE ¼ of said projected Section 20
7	Point of direct diversion and rediversion for water diverted at Point 6	North 100' and west 850' (750) from the SE corner of projected Section 17, T9N, R5W, MDB&M	SE ¼ of SE ¼ of said projected Section 17
8	Point of direct diversion and rediversion for water diverted at Points 6 and 7	North 600' and west 400' from the SE corner of projected Section 17, T9N, R5W, MDB&M	SE ¼ of SE ¼ of said projected Section 17

Item 6b. Place of Use

USE IS WITHIN (40 Acre Subdivision)	Section	Township	Range	Base & Meridian	Number of Acres	Presently Cultivated (Y/N)
SW ¼ of SW ¼	16	9N	5W	MDB&M	29	No
SE ¼ of SW ¼	16	9N	5W	MDB&M	9.5	No
NE ¼ of SE ¼	17	9N	5W	MDB&M	3	No
NW ¼ of SE ¼	17	9N	5W	MDB&M	0.5	No
SW ¼ of SE ¼	17	9N	5W	MDB&M	11	No
SE ¼ of SE ¼	17	9N	5W	MDB&M	31	No
NW ¼ of NE ¼	20	9N	5W	MDB&M	2	No
NE ¼ of NE ¼	20	9N	5W	MDB&M	32	No
SW ¼ of NE ¼	20	9N	5W	MDB&M	12	No
SE ¼ of NE ¼	20	9N	5W	MDB&M	28	No
NW ¼ of SE ¼	20	9N	5W	MDB&M	1	No
NE ¼ of SE ¼	20	9N	5W	MDB&M	17	No
NW ¼ of NW ¼	21	9N	5W	MDB&M	31	No
NE ¼ of NW ¼	21	9N	5W	MDB&M	15	No
SW ¼ of NW ¼	21	9N	5W	MDB&M	29	No
SE ¼ of NW ¼	21	9N	5W	MDB&M	3	No
NW ¼ of SW ¼	21	9N	5W	MDB&M	9	No
Total					**263**	

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95810

APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 30545
(leave blank)

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a brief description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This project involves the construction of three new on-stream reservoirs, two of which will each have a storage capacity of 49 acre-feet (POD 3 and 5), and one of which will have a storage capacity of 100 acre-feet (POD 2), and the enlargement of two existing reservoirs to 49 acre-foot capacity each (POD 3 and 8). The existing storage in one of the reservoirs to be enlarged (POD 8) is covered by Water Right License 11940 (Application 24272). In addition, this application seeks to supplement natural inflow into these reservoirs by pumping from Burton Creek (POD 6) and an unnamed stream traversing the property (POD 1), and also by diverting water captured by an existing 49 acre-foot storage reservoir (POD 7) licensed under License 11940. The reservoirs will be developed by the construction of earthen embankment dams, supplemented where necessary by excess excavation to achieve the proposed storage capacity. It is expected that earth materials required for embankment construction will be obtained from within the respective reservoir areas below the maximum storage elevation. Excess excavation from reservoir construction will be disposed of by spreading these materials in low fills within the proposed place of use. Water diverted from creeks and transferred between storage reservoirs will be conveyed through buried pipelines. Water will be used for irrigation, frost protection and heat control for about 263 acres of vineyard, as well as for domestic, stockwatering, and recreational purposes. Development of the place of use will require clearing of natural vegetation and limited grading, possible installation of subsurface drainage systems, and the construction of distribution pump stations and underground pipelines.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your project by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

   (a) Person contacted Barbara Abate Date of contact March 14, 1996

   Department Conservation, Development and Planning Telephone (707) 253-4416

   (b) Assessor's Parcel No. 18-09-49 and 18-09-78

   (c) County Zoning Designation AW (Ag Watershed)

   (d) Are any county permits required for your project? Yes If you answered yes, check appropriate spaces below:

   X Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit,

   _____ Change of Zoning, _____ General Plan Change, _____ Other explain: This project may require approval of an erosion control plan.

   (e) Have you obtained any of the required permits described above? No If you answered yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? Yes [i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.] For each agency from which a permit is required provide the following information:

   Permit type Approval of plans and specifications for the construction of a State jurisdictional dam

   Person contacted Mr. Don Babbitt, Chief of Design Section

   Agency California Department of Water Resources - Division of Safety of Dams

   Date on Contract Numerous discussion over the past 13 years on similar dam projects

   Telephone (916) 445-3092

4. Has any public agency prepared an environmental document for any aspect of your project? Possibly, see below

   If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.

   If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing and environmental document for your project or whether the applicant, if it is a

California public agency, will be preparing the environmental document for your project: The Applicant holds Water Right License 11940, issued pursuant to Application 24272. The current application seeks to use diversion facilities allowed under License 11940. The SWRCB file would contain any environmental information prepared for this License. It is expected that the SWRCB will act as lead agency for this application and will prepare the appropriate environmental document.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your water right application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

_____

_____

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):
Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

_____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? Yes; License 11940 refers to archaeological sites on the property. It is expected that any additional archaeologic work required for this application will be performed by the SWRCB or by a consultant to be hired by the Applicant.

Do you know of any archeological or historical sites located within the general project area? No, except as described above.

If so, explain: _____

_____

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
   (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
   (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
   (c) At the place(s) where the water is to be used

   Note: It is very important that you submit no less than *three complete sets* of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland ✓
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
  - Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland ✓
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine ✓
- Lacustrine ✓
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to construction and operation of your project. Consider all aspects of your project, including diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

POD 1 - None; POD 2 - None; POD 3 - About 5 mature oaks; POD 4 - About 5 mature oaks; POD 5 - About 4 mature oaks; POD 6 - None; POD 7 - None; POD 8 - About 20 mature oaks; Place of use - 20 to 30 mature oaks. (Note: The number of trees to be removed is an estimate; the actual number will be determined upon final design.) Oak trees along Burton Creek and the other unnamed stream flowing west to east across the property will be left undisturbed.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project (Note: See footnote denoted by * under Question 11 below):

Burton Creek probably contains warm-water non-game fish species during portions of the year that water is in the Creek. Such species may include Stickleback, Roach and Squawfish. These species could possibly be affected by reduction of flow in Burton Creek according to Mr. Larry Week, Department of Fish and Game, Region 3.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and changes in the places of water use (Note: See footnote denoted by * below):

According to Mr. Week, Western Pond Turtle and other amphibians may occur in riparian areas along Burton Creek. These species could be affected by reductions in Creek flow or conversion of riparian corridors. In addition, the conversion of the place of use and reservoir construction represent a possible habitat loss for various small mammals. Mr. Week is unaware of any threatened or endangered plant and animal species in the project area.

*Note: The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near your, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? Yes

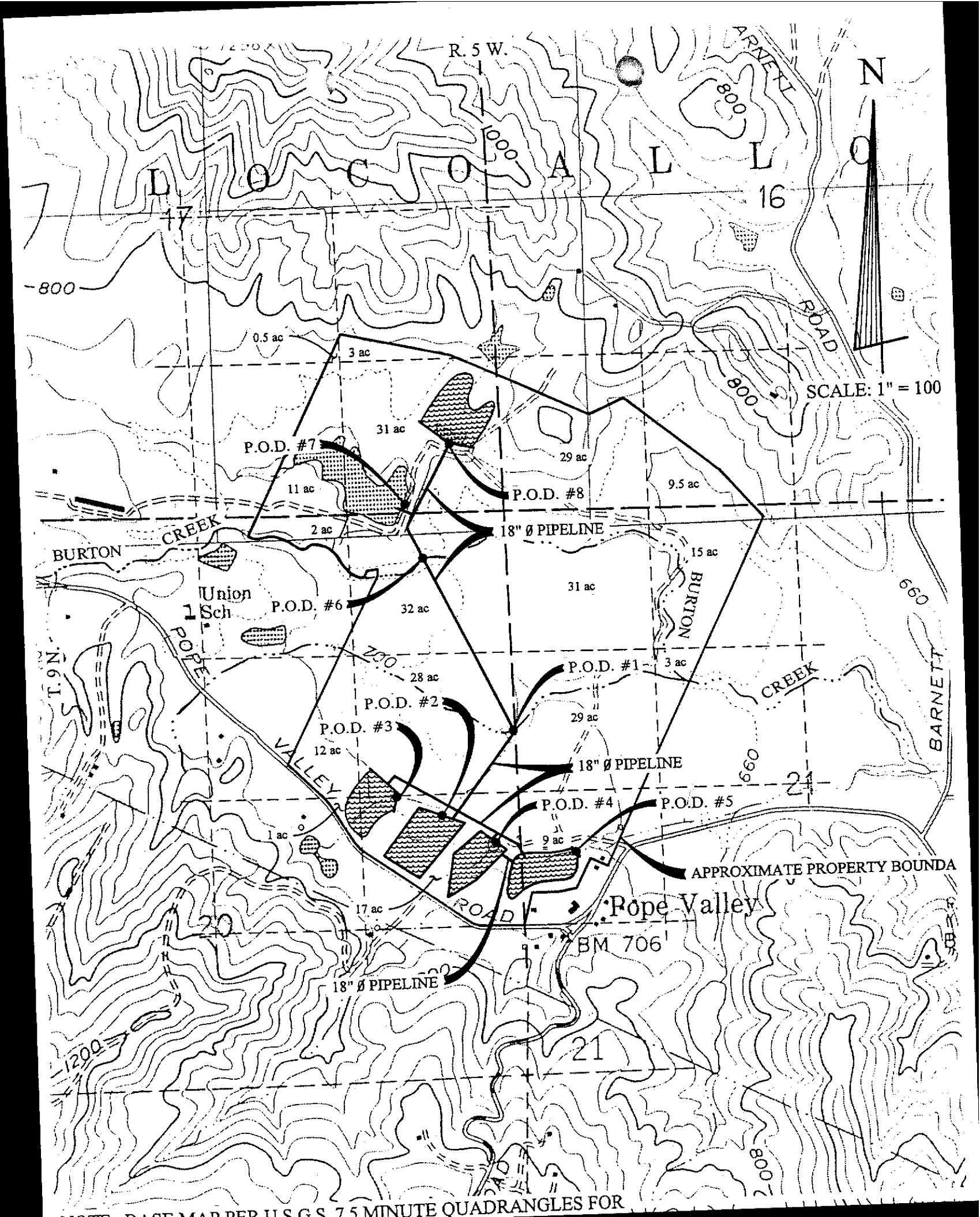
If so, explain: This application seeks to construct three new on-stream storage reservoirs, and enlarge two existing on-stream storage reservoirs (POD 2, 3, 4, 5, and 8). All of the affected streams are small intermittent drainages that only flow water during the rainy periods from the late fall to spring. In addition, development of pump stations on Burton Creek and an unnamed stream (POD 1 and 6) for diversion of water to the storage reservoir and for direct diversion will likely alter stream banks on a very localized basis. No substantial changes are proposed to an existing 49 acre-foot reservoir (POD 7) previously licensed under License 11940.

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 4-2-96 Signature

For: James C. Hanson
Consulting Civil Engineer



MAP PER U.S.G.S. 7.5 MINUTE QUADRANGLES FOR

Point	Description	Location	Point is Within
1	Point of direct diversion	South 1950' and east 25' from the NW corner of projected Section 21, T9N, R5W, MDB&M	SW ¼ of NW ¼ of said projected Section 21
2	Point of direct diversion and rediversion for water diverted at Points 1, 4, and 6	South 2700' and west 650' from the NE ¼ of projected Section 20, T9N, R5W, MDB&M	NE ¼ of SE ¼ of said projected Section 20
3	Point of direct diversion and rediversion for water diverted at Points 1, 4, and 6	South 2500' and west 1100' from the NE ¼ of projected Section 20, T9N, R5W, MDB&M	NE ¼ of SE ¼ of said projected Section 20
4	Point of direct diversion and rediversion for water diverted at Points 1 and 6	South 2900' and west 200' from the NE ¼ of projected Section 20, T9N, R5W, MDB&M	NE ¼ of SE ¼ of said projected Section 20
5	Point of direct diversion and rediversion for water diverted at Points 1, 4, and 6	South 3050' and east 450' from the NW corner of projected Section 21, T9N, R5W, MDB&M	NW ¼ of SW ¼ of said projected Section 21
6	Point of direct diversion	South 400' and west 700' from the NE corner of projected Section 20, T9N, R5W, MDB&M	NE ¼ of NE ¼ of said projected Section 20
7	Point of direct diversion and rediversion for water diverted at Point 6	North 100' and west 850' from the SE corner of projected Section 17, T9N, R5W, MDB&M	SE ¼ of SE ¼ of said projected Section 17
8	Point of direct diversion and rediversion for water diverted at Points 6 and 7	North 600' and west 400' from the SE corner of projected Section 17, T9N, R5W, MDB&M	SE ¼ of SE ¼ of said projected Section 17

TEMPORARY MAP TO ACCOMPANY

APPLICATION NO._____

by

POPE VALLEY PARTNERS

for

APPROPRIATION OF WATER

from

BURTON CREEK

AND UNNAMED STREAMS

Napa County, California

JAMES C. HANSON
Consulting Civil Engineer
A Corporation